

Practitioner's Docket No. 340.176

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SURINDER K. BAINS, VINCENT N. DEMASO, AND WILLIAM OUELLETTE

Application No.: 10/632,573

Group No.: 1744

Filed: 08/01/2003

Examiner: Krisanne Marie Jastrzab

For: DISINFECTANCY ARTICLE WITH EXTENDED DISINFECTANCY

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AUG 31 2005

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

Identification of Person(s) Making This Disclaimer

I, The Clorox Company, represent that I am the attorney of record.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in a sectional interest in this invention.

Claims 1-26.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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37 C.F.R. § 1.8(a)

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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____

703-812-9364 Toni Sampson
Signature

Date: August 25, 2004

Toni Sampson

(type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Terminal Disclaimer to Obviate a Double Patenting Rejection--page 1 of

DISCLAIMER**(Provisional Obviousness-Type Double Patenting Rejection Over A Pending Application)**

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of patent granted on Application No. 10/870,093, filed on June 16, 2004, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Application No. 10/870,093, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. § 1.20(d))

Other than a small entity--fee \$130.00.

FEE PAYMENT

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 03 2270.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

August 25, 2005



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Terminal Disclaimer to Obviate a Double Patenting Rejection--page 2 of 2

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I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Toni Sampson

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